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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/737,234	12/16/2003	Nick J. Grivas	IS01164TC	6348

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EXAMINER	
PHUONG, DAI	

ART UNIT	PAPER NUMBER
2617	

MAIL DATE	DELIVERY MODE
05/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/737,234	GRIVAS ET AL.	
	Examiner	Art Unit	
	Dai A. Phuong	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 January 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) *1-39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 January 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's arguments, filed 01/16/2007, with respect to claims have been considered but are moot in view of the new ground(s) of rejection. Claims 1-39 are currently pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-9, 15, 16-21 and 26-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Seydoux et al. (U.S. 6263216).

Regarding claim 1, Seydoux et al. disclose a method, comprising:

providing a docking apparatus 30 coupled to interface with a vehicle (fig. 1, col. 3, line 58 to col. 12, line 47);

communicatively coupling a remote communications device 10 to the docking apparatus 30, wherein the remote communications device is non-enabled with a telematics functionality module 40 (fig. 1, col. 3, line 58 to col. 12, line 47); and

the docking apparatus 30 and the remote communications device 10 enabling the remote communications device 30 with the telematics functionality module 40 (fig. 1, col. 3, line 58 to col. 12, line 47).

Regarding claim 2, Seydoux et al. disclose all the limitation in claim 1. Further, Seydoux et al. disclose the method wherein the telematics functionality module comprises at least one of a vehicle specific application, a personal telematics application, a routing guidance application, a security application, a hands-free application, a noise cancellation application, an air bag system, and an emergency notification application (fig. 1, col. 3, line 58 to col. 12, line 47).

Regarding claim 3, Seydoux et al. disclose all the limitation in claim 1. Further, Seydoux et al. disclose the method wherein the docking apparatus is a car kit 30 (fig. 1, col. 3, line 58 to col. 12, line 47).

Regarding claim 4, Seydoux et al. disclose all the limitation in claim 1. Further, Seydoux et al. disclose the method wherein communicatively coupling comprises communicatively coupling using at least one of a wireless link and a wireline link (fig. 1, col. 3, line 58 to col. 12, line 47).

Regarding claim 5, Seydoux et al. disclose all the limitation in claim 1. Further, Seydoux et al. disclose the method further comprising: the remote communications device detecting the docking apparatus (fig. 1, col. 3, line 58 to col. 12, line 47); and the docking apparatus and the remote communications device exchanging capability data (fig. 1, col. 3, line 58 to col. 12, line 47).

Regarding claim 6, Seydoux et al. disclose all the limitation in claim 5. Further, Seydoux et al. disclose the method wherein the capability data comprises at least one of a software configuration, a hardware configuration, identification data and security data (fig. 1, col. 3, line 58 to col. 12, line 47).

Regarding claim 7, Seydoux et al. disclose all the limitation in claim 1. Further, Seydoux et al. disclose the method further comprising: the docking apparatus detecting the remote communications device (fig. 1, col. 3, line 58 to col. 12, line 47); and the docking apparatus and the remote communications device exchanging capability data (fig. 1, col. 3, line 58 to col. 12, line 47).

Regarding claim 8, Seydoux et al. disclose all the limitation in claim 1. Further, Seydoux et al. disclose the method wherein the capability data comprises at least one of a software configuration, a hardware configuration, identification data and security data (fig. 1, col. 3, line 58 to col. 12, line 47).

Regarding claim 9, Seydoux et al. disclose all the limitation in claim 1. Further, Seydoux et al. disclose the method wherein enabling the remote communications device with the telematics functionality module comprises rewriting at least a portion of a memory of the remote communications device to include the telematics functionality module (fig. 1, col. 3, line 58 to col. 12, line 47).

Regarding claim 15, this claim is rejected for the same reason as set forth in claim 1.

Regarding claim 16, this claim is rejected for the same reason as set forth in claim 4.

Regarding claim 17, this claim is rejected for the same reason as set forth in claim 5.

Regarding claim 18, this claim is rejected for the same reason as set forth in claim 6.

Regarding claim 19, this claim is rejected for the same reason as set forth in claim 7.

Regarding claim 20, this claim is rejected for the same reason as set forth in claim 8.

Regarding claim 21, this claim is rejected for the same reason as set forth in claim 9.

Regarding claim 26, this claim is rejected for the same reason as set forth in claim 1.

Regarding claim 27, this claim is rejected for the same reason as set forth in claim 2.

Regarding claim 28, this claim is rejected for the same reason as set forth in claim 3.

Regarding claim 29, this claim is rejected for the same reason as set forth in claim 4.

Regarding claim 30, this claim is rejected for the same reason as set forth in claim 5.

Regarding claim 31, this claim is rejected for the same reason as set forth in claim 6.

Regarding claim 32, this claim is rejected for the same reason as set forth in claim 7.

Regarding claim 33, this claim is rejected for the same reason as set forth in claim 8.

Regarding claim 34, this claim is rejected for the same reason as set forth in claim 9.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 10-14, 22-25 and 35-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seydoux et al. (U.S. 6263216) in view of Macfarlane (Pub. No: 20030231550).

Regarding claim 10, Seydoux et al. disclose all the limitation in claim 1. However, Seydoux et al. do not disclose the method wherein enabling the remote communications device with the telematics functionality module comprises downloading the telematics functionality module.

In the same field of endeavor, Macfarlane discloses the method wherein enabling the remote communications device with the telematics functionality module comprises downloading the telematics functionality module ([0041] to [0048] and [0057]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the personal mobile phone of Seydoux et al. by specifically including disclose the method wherein enabling the remote communications device with the telematics functionality module comprises downloading the telematics functionality module, as taught by Macfarlane, the motivation being in order provide wireless communication capability between mobile device and mobile vehicle.

Regarding claim 11, the combination of Seydoux et al. and Macfarlane disclose all the limitations in claim 10. Further, Macfarlane discloses the method further comprising the docking apparatus associating a vehicle identification number to the remote communications device that has downloaded the telematics functionality module ([0041] to [0048] and [0057]).

Regarding claim 12, Seydoux et al. disclose all the limitation in claim 1. However, Seydoux et al. do not disclose the method wherein enabling the remote communications device with the telematics functionality module comprises enabling the telematics functionality module in the remote communications device.

In the same field of endeavor, Macfarlane discloses the method wherein enabling the remote communications device with the telematics functionality module comprises enabling the telematics functionality module in the remote communications device ([0041] to [0048] and [0057]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the personal mobile phone of Seydoux et al. by specifically including the method wherein enabling the remote communications device with the telematics functionality module comprises enabling the telematics functionality module in the remote communications device, as taught by Macfarlane, the motivation being in order provide wireless communication capability between mobile device and mobile vehicle.

Regarding claim 13, Seydoux et al. disclose all the limitation in claim 1. However, Seydoux et al. do not disclose the method wherein enabling the remote communications device with the telematics functionality module comprises downloading the telematics functionality module into a memory of the remote communications device while the remote communications device is communicatively coupled to the docking apparatus, and wherein erasing the telematics functionality module from the memory when the remote communications device ceases being communicatively coupled to the docking apparatus.

In the same field of endeavor, Macfarlane discloses the method wherein enabling the remote communications device with the telematics functionality module comprises downloading the telematics functionality module into a memory of the remote communications device while the remote communications device is communicatively coupled to the docking apparatus, and wherein erasing the telematics functionality module from the memory when the remote communications device ceases being communicatively coupled to the docking apparatus ([0041] to [0048] and [0057]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the personal mobile phone of Seydoux et al. by specifically

including the method wherein enabling the remote communications device with the telematics functionality module comprises downloading the telematics functionality module into a memory of the remote communications device while the remote communications device is communicatively coupled to the docking apparatus, and wherein erasing the telematics functionality module from the memory when the remote communications device ceases being communicatively coupled to the docking apparatus, as taught by Macfarlane, the motivation being in order provide wireless communication capability between mobile device and mobile vehicle.

Regarding claim 14, Seydoux et al. disclose all the limitation in claim 1. Further, Seydoux et al. disclose the method further comprising: the docking apparatus querying the remote communication device for the presence of the telematics functionality module (fig. 1, col. 3, line 58 to col. 12, line 47). However, Seydoux et al. do not disclose the docking apparatus supplying the remote communications device with a download location to obtain the telematics functionality module; and downloading the telematics functionality module.

In the same field of endeavor, Macfarlane discloses the docking apparatus supplying the remote communications device with a download location to obtain the telematics functionality module; and downloading the telematics functionality module ([0041] to [0048] and [0057]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the personal mobile phone of Seydoux et al. by specifically including the docking apparatus supplying the remote communications device with a download location to obtain the telematics functionality module; and downloading the telematics

functionality module, as taught by Macfarlane, the motivation being in order provide wireless communication capability between mobile device and mobile vehicle.

Regarding claim 22, Seydoux et al. disclose all the limitation in claim 15. However, Seydoux et al. do not disclose wherein transforming comprises downloading a telematics functionality module.

In the same field of endeavor, Macfarlane discloses wherein transforming comprises downloading a telematics functionality module ([0041] to [0048] and [0057]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the personal mobile phone of Seydoux et al. by specifically including wherein transforming comprises downloading a telematics functionality module, as taught by Macfarlane, the motivation being in order provide wireless communication capability between mobile device and mobile vehicle.

Regarding claim 23, Seydoux et al. disclose all the limitation in claim 15. However, Seydoux et al. do not disclose wherein transforming comprises enabling a telematics functionality module in the non-telematics enabled remote communications device.

In the same field of endeavor, Macfarlane discloses wherein transforming comprises enabling a telematics functionality module in the non-telematics enabled remote communications device ([0041] to [0048] and [0057]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the personal mobile phone of Seydoux et al. by specifically

including wherein transforming comprises enabling a telematics functionality module in the non-telematics enabled remote communications device, as taught by Macfarlane, the motivation being in order provide wireless communication capability between mobile device and mobile vehicle.

Regarding claim 24, Seydoux et al. disclose all the limitation in claim 15. However, Seydoux et al. do not disclose wherein transforming comprises downloading a telematics functionality module into a memory of the non-telematics enabled remote communications device only while the non-telematics enabled remote communications device is communicatively coupled to the docking apparatus.

In the same field of endeavor, Macfarlane discloses wherein transforming comprises downloading a telematics functionality module into a memory of the non-telematics enabled remote communications device only while the non-telematics enabled remote communications device is communicatively coupled to the docking apparatus ([0041] to [0048] and [0057]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the personal mobile phone of Seydoux et al. by specifically including wherein transforming comprises downloading a telematics functionality module into a memory of the non-telematics enabled remote communications device only while the non-telematics enabled remote communications device is communicatively coupled to the docking apparatus, as taught by Macfarlane, the motivation being in order provide wireless communication capability between mobile device and mobile vehicle.

Regarding claim 25, this claim is rejected for the same reason as set forth in claim 14.

Regarding claim 35, this claim is rejected for the same reason as set forth in claim 10.

Regarding claim 36, this claim is rejected for the same reason as set forth in claim 11.

Regarding claim 37, this claim is rejected for the same reason as set forth in claim 12.

Regarding claim 38, this claim is rejected for the same reason as set forth in claim 13.

Regarding claim 39, this claim is rejected for the same reason as set forth in claim 14.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dai A Phuong whose telephone number is 571-272-7896. The examiner can normally be reached on Monday to Friday, 9:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nguyen M Duc can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-7503.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dai Phuong
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